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1 Q. So, you were -- I want to make sure I have this 09:52:49AM  
2 right. So, you would have been the pop culture reporter 09:52:53AM  
3 on pop culture writer for The Times from about 2000 to 09:52:56AM  
4 2008? 09:53:01AM

5 A. Yes.

6 Q. So, was it a big shift for you then to move to 09:53:03AM  
7 the Metro general assignment desk and not be able to do 09:53:06AM  
8 that same level of pop culture writing? 09:53:09AM

9 A. Yes.

10 Q. Was it difficult? 09:53:13AM

11 A. Well, it was difficult in that the managers 09:53:14AM  
12 weren't very good at using the right tool for the job. 09:53:17AM  
13 And so we all, when we're hired as reporters, have skill 09:53:21AM  
14 sets, things that we're good at and have proven, 09:53:25AM  
15 demonstrated expertise at and skill at. And one of the 09:53:29AM  
16 difficult things about going to Metro news was just sort 09:53:34AM  
17 of being treated like a gofer sometimes. 09:53:38AM

18 Q. What do you mean by that? 09:53:40AM

19 A. Just thrown at things willy-nilly regardless of 09:53:43AM  
20 what my own skills were. 09:53:47AM

21 Q. So, do you feel like your skills were 09:53:51AM  
22 underutilized? 09:53:55AM

23 A. To say the least. 09:53:55AM

24 Q. Tell me about that. Tell me a little bit more 09:53:56AM  
25 about what your feeling was about being underutilized. 09:54:00AM

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1           A. Well, I just -- a good deal of the time I was       09:54:05AM  
2 thrown at things in the way an intern would be with no       09:54:12AM  
3 regard for what my demonstrated and widely praised work       09:54:15AM  
4 was.    09:54:20AM

5           Q. What do you view as your sort of highest and       09:54:22AM  
6 best use in a newsroom environment?                                  09:54:25AM

7           A. My highest and best use? That's kind of a       09:54:32AM  
8 weird question.    09:54:36AM

9           Q. Well, you've said that you weren't being       09:54:37AM  
10 utilized for your talents. So, what do you think would       09:54:39AM  
11 have been the way that the managers should have been       09:54:43AM  
12 utilizing you?    09:54:46AM

13          A. Should have been? Well, at that time we were       09:54:47AM  
14 sorely lacking in any kind of pop culture coverage where       09:54:51AM  
15 Seattle is at the epicenter of a great deal of that, and       09:54:58AM  
16 our lack of it was conspicuous, and I was constantly       09:55:04AM  
17 pitching for something relating to that that the paper       09:55:10AM  
18 needed and that I was good at, a good fit.                      09:55:14AM

19          Q. So, you wanted to continue doing the pop       09:55:17AM  
20 culture writing after you moved over to the general       09:55:19AM  
21 assignment desk?    09:55:22AM

22          A. In one form or another. I thought it was       09:55:23AM  
23 something the paper needed and I thought it was something       09:55:26AM  
24 that I was good at.    09:55:29AM

25          Q. Did you propose that to anybody, any editors?       09:55:31AM

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1           A. Numerous times. Sorry, I talked over you.           09:55:34AM  
2       Numerous times.   09:55:37AM  
3           Q. What was the response?                                   09:55:38AM  
4           A. I think I can sum up the response as no.           09:55:40AM  
5           Q. Did anyone provide you a reason for why they     09:55:44AM  
6       wouldn't support you doing pop culture writing on the    09:55:51AM  
7       general assignment desk?                                        09:55:56AM  
8           A. No good reason. It was just along the lines of    09:55:58AM  
9       this isn't what we want you to focus on right now. In    09:56:04AM  
10      fact, I even offered to do things on my own time that    09:56:09AM  
11      didn't interfere with my scheduled in Metro news and was   09:56:16AM  
12      even told that I couldn't do that, and given no reason    09:56:19AM  
13      why.    09:56:22AM  
14           Q. You were considered a nonexempt employee,        09:56:24AM  
15      correct?    09:56:28AM  
16           A. I don't know what that means.                       09:56:28AM  
17           Q. Were you -- well, let me strike that. I'll     09:56:30AM  
18      come back to that.    09:56:37AM  
19           A. Can I get a refill here?                               09:56:39AM  
20           Q. Sure.   09:56:41AM  
21           THE WITNESS: Oh, thanks. Okay.                           09:56:45AM  
22           Q. Did you feel like going to the --                   09:56:54AM  
23           MS. SULLIVAN WEISS: I'll give them a minute.       09:57:00AM  
24           THE WITNESS: Thanks.                                        09:57:02AM  
25           Q. Did you feel like going to become a general    09:57:17AM

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1 assignment reporter on the Metro desk was sort of a step 09:57:23AM  
2 down after being the pop culture writer for eight years? 09:57:26AM  
3 A. In a way. 09:57:30AM  
4 Q. Why is that? 09:57:31AM  
5 A. Because I was doing very distinctive, well- 09:57:33AM  
6 praised popular work prior to that, and then I was put in 09:57:36AM  
7 a situation where, as I said, I was more often than not 09:57:40AM  
8 just treated like an intern and just kind of used like a 09:57:43AM  
9 spare body with no regard for my demonstrated skills. 09:57:49AM  
10 Q. How did that make you feel? 09:57:53AM  
11 A. Are my feelings at issue here? I don't 09:57:55AM  
12 understand. 09:57:59AM  
13 Q. How did that make you feel when you were saying 09:57:59AM  
14 -- you say that you were used like a gofer or intern? 09:58:01AM  
15 A. It was frustrating. 09:58:04AM  
16 Q. Did that affect your happiness in your job? 09:58:06AM  
17 A. Of course. 09:58:12AM  
18 Q. Okay. During the time that you were on the 09:58:13AM  
19 Metro general assignment desk and experiencing some 09:58:28AM  
20 displeasure with your job or feeling like you were a gofer 09:58:32AM  
21 or intern, did you look for jobs either outside of the 09:58:35AM  
22 Metro general assignment reporter job or outside of The 09:58:39AM  
23 Seattle Times? 09:58:45AM  
24 A. I didn't make any serious attempts to look for 09:58:45AM  
25 other work because to some extent I still considered 09:58:49AM

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1 myself kind of a lifer at The Times. I had always said 09:58:53AM  
2 that I wanted to retire from that place. 09:58:57AM

3 Having said that, I was working on a comic book 09:58:59AM  
4 at the time and, you know, I was open to that turning into 09:59:03AM  
5 something else, and there had been some TV interest in it 09:59:06AM  
6 and I sent a query to Comedy Central, but I had never put 09:59:10AM  
7 in a serious effort to get work elsewhere before I left 09:59:19AM  
8 because I still loved the place. 09:59:24AM

9 Q. So, I think you've touched on this a little 09:59:26AM  
10 bit, but I want to make sure I understand. When you're 09:59:29AM  
11 talking about doing the pop culture writing in the 09:59:31AM  
12 features department, that's different than breaking news, 09:59:34AM  
13 right? 09:59:38AM

14 A: There's some news in that, but yeah, it's 09:59:39AM  
15 largely different. I mean, you have beats that you know 09:59:42AM  
16 and not so much as breaking, because you're aware of 09:59:47AM  
17 what's going on and preparing for anything that happens 09:59:51AM  
18 because you're an expert in your field. 09:59:53AM

19 Q. So, when you went over to the general 09:59:55AM  
20 assignment desk, you were now working on sort of whatever 09:59:57AM  
21 the news of the day was; is that correct? 10:00:00AM

22 A. Mostly. 10:00:04AM

23 Q. So, when you left the office on Tuesday and 10:00:05AM  
24 come back on Monday -- sorry, come back on Wednesday, you 10:00:07AM  
25 may not have any idea what the day will hold in terms of 10:00:11AM

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1 stories or what you need to do; is that correct? 10:00:15AM  
2 A. A lot of times. There were some ongoing things 10:00:17AM  
3 that I would be working on from time to time, but those 10:00:20AM  
4 would be tossed aside if anything else happened to take me 10:00:23AM  
5 off it. 10:00:27AM

6 Q. That didn't happen very often when you were 10:00:28AM  
7 doing pop culture writing; is that correct? 10:00:30AM

8 A. Correct. 10:00:34AM

9 Q. So, my understanding, and you can correct me 10:00:42AM  
10 here if I'm wrong, was that on the Metro desk, most 10:00:45AM  
11 reporters or many reporters are assigned to beats; is that 10:00:49AM  
12 right? 10:00:52AM

13 A. Many are. 10:00:52AM

14 Q. Then there are some that are called general 10:00:54AM  
15 assignment reporters, which is what you were doing, 10:00:56AM  
16 correct? 10:00:59AM

17 A. Yes.

18 Q. So, did you ever explore or talk to your 10:01:01AM  
19 editors about being assigned to a beat instead of general 10:01:04AM  
20 assignment? 10:01:07AM

21 A. I was just told that that was all there was for 10:01:10AM  
22 me. I'm trying to think. I mean, I find it impossible to 10:01:13AM  
23 believe that I didn't discuss that with anybody because at 10:01:26AM  
24 least having a beat would have alleviated some of the 10:01:30AM  
25 frustrations, but I can't think of specifics right at this 10:01:34AM

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1 instant. 10:01:38AM

2 Q. Okay. Well, if you think of anything else 10:01:38AM

3 today, you'll let me know, please. 10:01:41AM

4 A. Yes. 10:01:43AM

5 Q. Mr. Rahner, I see that you have a notepad and 10:01:53AM

6 some paper. Is that anything -- what is the paper that 10:01:56AM

7 you brought with you today other than the blank sheet of 10:02:00AM

8 paper? 10:02:02AM

9 A. It's just a copy of the EEOC complaint that I 10:02:03AM

10 believe you have a copy of in case I thought I needed to 10:02:06AM

11 refresh my memory on anything. You're welcome to make a 10:02:09AM

12 copy of it. 10:02:12AM

13 Q. Okay. We will make a copy of that during a 10:02:14AM

14 break. 10:02:17AM

15 A. Sure. 10:02:18AM

16 Q. Describe for me how the Metro desk works as a 10:02:25AM

17 general assignment reporter in your experience. 10:02:30AM

18 A. How it works? 10:02:34AM

19 Q. How do you get your work? How do you block out 10:02:35AM

20 your day? How do you get assignments? Do you generate 10:02:38AM

21 assignments or generate stories? 10:02:42AM

22 A. More often than not I'd be given an assignment 10:02:46AM

23 based on what was going on or an idea an editor had to 10:02:50AM

24 fill the next day's paper. I would try to generate 10:02:57AM

25 assignments of my own when possible, but that was the 10:03:00AM

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1 exception and not the rule. 10:03:04AM

2 Q. So, how are -- when did you get your 10:03:07AM  
3 assignments? How does that work? 10:03:11AM

4 A. Either when I came in or the night before, 10:03:14AM  
5 depending on the circumstances, depending on what was 10:03:17AM  
6 happening at the time or the day before. There were quite 10:03:20AM  
7 a number of variations on how you would begin an 10:03:27AM  
8 assignment. 10:03:30AM

9 Q. So, would Matt Kreamer typically be the person 10:03:31AM  
10 who would come in and talk to you about an assignment? 10:03:34AM

11 A. Generally. 10:03:36AM

12 Q. Were there ever any like meetings with the 10:03:37AM  
13 reporters and the editors where you talked about who's 10:03:41AM  
14 going to do what assignments during a particular day? 10:03:44AM

15 A. That's a fairly routine occurrence. 10:03:47AM

16 Q. Tell me about that. Does that happen on a 10:03:49AM  
17 daily basis? 10:03:54AM

18 A. Group meetings? No, not daily. 10:03:58AM

19 Q. Weekly? 10:04:01AM

20 A. It's haphazard. It depends on events going on 10:04:02AM  
21 at the time. 10:04:06AM

22 Q. Okay. So, when would those meetings take place 10:04:06AM  
23 typically? 10:04:14AM

24 A. You mean in addition to what I just said about 10:04:15AM  
25 them being haphazard depending on what's going on at the 10:04:18AM

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1 time? 10:04:22AM

2 Q. What time of day? 10:04:23AM

3 A. No set time. 10:04:24AM

4 Q. So, are those meetings more common where 10:04:27AM

5 there's some kind of breaking news event, is that 10:04:31AM

6 typically where that would happen? 10:04:33AM

7 A. Yeah, I think so. Otherwise you just 10:04:35AM

8 individually would check in with your editor. 10:04:38AM

9 Q. And do you recall what hours Matt worked, Matt 10:04:49AM

10 Kreamer? 10:04:55AM

11 A. I think he worked different shifts on different 10:04:55AM

12 days, but I don't recall his specific schedule. There 10:04:59AM

13 were days that he left early, days that he stayed late, 10:05:05AM

14 and I don't know what his overall schedule was. 10:05:09AM

15 Q. So, when you started over at the Metro desk, 10:05:16AM

16 you were starting to tell me about how you tried to 10:05:19AM

17 incorporate some of that pop culture reporting or your 10:05:21AM

18 expertise in pop culture into the role; is that correct? 10:05:26AM

19 A. Yes. 10:05:29AM

20 Q. You described the Q-and-A pieces? 10:05:30AM

21 A. Uh-huh, yes. 10:05:35AM

22 Q. You also talked about video reporting or videos 10:05:36AM

23 that you created? 10:05:40AM

24 A. Yeah, I made a series of short videos, yes. 10:05:42AM

25 Q. Did you ever talk about a pop culture blog? 10:05:46AM

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1           A. Yes.

2           Q. Is that something that ever went anywhere? 10:05:50AM

3           A. No. 10:05:53AM

4           Q. Who did you talk to about the pop culture blog? 10:05:56AM

5           A. Mainly Kreamer. 10:06:00AM

6           Q. Was there -- was there interest in it from 10:06:02AM

7           Kreamer? 10:06:06AM

8           A. Not really. I mean, as opposed to him just 10:06:09AM

9 passing it up the chain, chain of command. 10:06:14AM

10          Q. So, other than doing the Q-and-A pieces, the 10:06:21AM

11 video reporting, you -- the rest of your time was spent 10:06:25AM

12 doing the general assignment news reporting, correct? 10:06:29AM

13          A. Correct, for the most part. 10:06:33AM

14          Q. We talked a little bit about getting story 10:06:45AM

15 assignments versus thinking up your own story ideas. Am I 10:06:49AM

16 correct in saying that when you come up with your own 10:06:55AM

17 story ideas, those are enterprise pieces or enterprise 10:06:58AM

18 reporting, is that the right term in your view? 10:07:01AM

19          A. I don't have the definition of enterprise 10:07:06AM

20 reporting handy. But it just tended to be something that 10:07:09AM

21 wasn't breaking news. And it was -- well, that's mainly 10:07:12AM

22 as I understood it. 10:07:19AM

23          Q. So, in your view, enterprise reporting isn't 10:07:20AM

24 about who generates the story, but it's about whether it's 10:07:23AM

25 something that is breaking news or something that is more 10:07:26AM

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- 1           A. You could do a byline count, but I couldn't       10:08:45AM  
2 tell you off the top of my head, because there were long       10:08:48AM  
3 ones, short ones, things that required days or weeks,       10:08:51AM  
4 things that I could turn around in an hour or a day,       10:08:55AM  
5 briefs.    10:08:58AM
- 6           Q. So, it's not the type of thing that you keep       10:08:59AM  
7 track of?    10:09:01AM
- 8           A. Not a mental calculation, no. But it's easy to       10:09:03AM  
9 do a byline count in the newsroom's computer system.       10:09:08AM
- 10          Q. Okay. So, during the time that you were a       10:09:13AM  
11 general assignment reporter, can you estimate the number       10:09:15AM  
12 of stories that you did that were your own ideas?       10:09:18AM
- 13          A. I couldn't possibly.                                    10:09:20AM
- 14          Q. So, at the time that you were assigned --       10:09:38AM  
15 reassigned from features to Metro, do you remember talking   10:09:40AM  
16 to Matt Kreamer, Jim Simon, and Mark Higgins about what   10:09:43AM  
17 your role was going to be on the paper or on the Metro   10:09:49AM  
18 desk?    10:09:54AM
- 19          A. Yes.
- 20          Q. Do you remember talking about the -- developing   10:09:56AM  
21 the Q and As?    10:09:58AM
- 22          A. Well, I'd already been doing that, but they       10:09:59AM  
23 they agreed at least at the time that I should continue   10:10:07AM  
24 doing them.    10:10:09AM
- 25          Q. So, why don't you tell me what your       10:10:10AM

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1       recollection is of that conversation that you had with                   10:10:12AM  
2       Matt Kreamer, Mark Higgins, and Jim Simon about what your                   10:10:14AM  
3       role would be on the Metro desk.   10:10:18AM

4               A.     Essentially that I would be a Metro GA                           10:10:20AM  
5       reporter, but that time permitting, I would still be                           10:10:24AM  
6       allowed to do the Q and A.   10:10:26AM

7               Q.     Do you remember talking to Matt Kreamer, Mark                   10:10:30AM  
8       Higgins, and Jim Simon about their expectation that you                   10:10:37AM  
9       would generate story ideas?   10:10:42AM

10          A.     That's expected of everybody.                                   10:10:44AM

11          Q.     Do you remember specifically having a                                   10:10:46AM  
12       conversation with them about that during that time?                   10:10:48AM

13          A.     Only in the most general terms. Everybody                           10:10:50AM  
14       there who is a reporter is expected to try and come up                   10:10:55AM  
15       with story ideas when they can.   10:10:58AM

16          Q.     Okay.   10:11:02AM

17          (Exhibit 1 marked.)   10:11:40AM

18          Q.     The court reporter has handed you what's been                   10:11:40AM  
19       marked as Exhibit 1, and I'll represent to you this is an                   10:11:43AM  
20       email that is not sent to you, so I suspect you didn't                   10:11:46AM  
21       receive it at the time you were at The Times; is that                   10:11:49AM  
22       correct?   10:11:54AM

23          A.     Can I look at it before we talk?                                   10:11:54AM

24          Q.     Sure.   10:11:59AM

25          A.     Oh, yeah, just a second. Let me get to the end                   10:12:04AM

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1 thought you were done.

10:21:17AM

2 Q. I have a bad habit of sort of taking a pause at  
3 the end of the question, so I apologize about that.

10:21:19AM

10:21:23AM

4 A. You and Columbo.

10:21:27AM

5 Q. When did you work the evening shift while you  
6 were on the Metro desk as a general assignment reporter?

10:21:30AM

10:21:32AM

7 A. Well, like all the other reporters, I had to  
8 fill in occasionally on weekends. As I said, more and  
9 more as the staff grew smaller. And then when the  
10 reporter whose job it was became ill, I once filled in for  
11 a two-week stretch.

10:21:35AM

10:21:39AM

10:21:44AM

10:21:47AM

10:21:54AM

12 Q. Do you remember when that was that you filled  
13 in for the two-week stretch?

10:21:55AM

10:21:59AM

14 A. Oh, I think it must have been in the spring of  
15 2010, I think. But I could be wrong. It might have been  
16 in the fall of 2009. But I think it was the spring of  
17 2010.

10:22:01AM

10:22:04AM

10:22:12AM

10:22:15AM

18 Q. Do you remember any -- is there any event that  
19 occurred while you were on that two-week night shift that  
20 would help place it in time?

10:22:16AM

10:22:22AM

10:22:24AM

21 A. No.

10:22:26AM

22 Q. There was no like big breaking news story that  
23 will help us identify when you actually worked it?

10:22:27AM

10:22:30AM

24 A. It all kind of blends together.

10:22:32AM

25 Q. I understand that you worked an overnight --

10:22:34AM

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1 A. I think toward the end it had gotten down to 10:23:47AM  
2 maybe once every month or six weeks, something like that. 10:23:52AM  
3 Q. Then you said you covered an employee who got 10:23:58AM  
4 ill; is that right? 10:24:03AM  
5 A. Yes. 10:24:03AM  
6 Q. Is that Charles, I'm sorry, Brown, Charles 10:24:04AM  
7 Brown? 10:24:08AM  
8 A. Yes.  
9 Q. So, Charles Brown was the general assignment 10:24:08AM  
10 Metro desk reporter assigned to the evening shift; is that 10:24:13AM  
11 correct? 10:24:16AM  
12 A. He was the night reporter, yes. 10:24:16AM  
13 Q. And he became ill? 10:24:22AM  
14 A. He had cancer. 10:24:26AM  
15 Q. And you filled in for two weeks; is that right? 10:24:29AM  
16 A. Yes.  
17 Q. So, tell me about your experience working the 10:24:34AM  
18 evening shift during that two-week period. 10:24:38AM  
19 A. It was horrible. At the end of it, I was just 10:24:41AM  
20 completely ragged and exhausted and my nerves were racked. 10:24:44AM  
21 It was miserable. 10:24:49AM  
22 Q. So, for the two-week period was it like a 10:24:56AM  
23 Monday through Friday? 10:25:01AM  
24 A. I think so. 10:25:04AM  
25 Q. So, you would work Monday through Friday from 10:25:05AM